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SERIAL NUMBER	REQUEST DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
10/621,865	6/23/04	BECKEN, ET AL.	THI-304

Title: **SNAP-IN ROLLER**

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Art Unit	Paper Number
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PATENT & TRADEMARK OFFICE
MAILED

MAY 20 2005

LICENSING & REVIEW

Licensee under 35 U.S.C. 184 is hereby granted to file in any foreign country a patent application and any amendments thereto corresponding to the subject matter of this U.S. application identified above and/or any material accompanying the petition. This license is conditioned upon modification of any applicable secrecy order and is subject to revocation without notice.

License Number: 534,596

Grant Date: 20-May-05

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Approved:


for Commissioner of Patents and Trademarks

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LICENSE FOR FOREIGN FILING

[Title 35, United States Code (1952) Sections 184, 185, 186]



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WASHINGTON, DC 20231
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Marc A. Vivenzio
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Portsmouth, NH 03801

In re: Becken : DECISION ON REQUEST
Serial No.: 10/621,865 : UNDER 37 CFR 5.25
Filing date: July 17, 2003
Docket No: THI-304

Title: **SNAP-IN ROLLER**

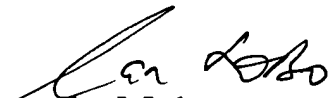
This is a decision on the petition filed on May 24, 2004 for retroactive foreign filing license.

37 CFR 5.25(a) requires the following:

1. A listing of each of the foreign countries in which the unlicensed patent application material was filed,
2. The dates on which the material was filed in each country,
3. A verified statement (oath or declaration) containing:
 - i. An averment that the subject matter in question was not under a secrecy order at the time it was filed abroad, and that it is not currently under a secrecy order,
 - ii. A showing that the license has been diligently sought after discovery of the proscribed foreign filing, and
 - iii. An explanation of why the material was filed abroad through error and without deceptive intent without the required license under § 5.11 first having been obtained, and
4. The required fee (§ 1.17(h)).

The petition is denied since the requirements of 37 CFR 5.25 (3)(ii) have been met. Specifically, the petition does not set forth any facts about discovery of the proscribed filing. Without a specific time frame as to discovery of the proscribed filing, a showing of diligence or lack thereof cannot be ascertained.

Accordingly, the provisions of 37 CFR 5.25 not having been fully met, the petition is denied, and in the absence of any response within **60 days** of the mailing date of this letter, such denial will be made final and the final action under 35 U.S.C. 185 will be taken. Extensions of time may be had under 37 C.F.R. 1.136(a).


Ian J. Lobo
Patent Examiner
(703) 306-4161

(Pat 35-703 Pub 605)

FORM 22-5

22-27

Practitioner's Docket No. THI-304**PATENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR RETROACTIVE LICENSE (37 CFR 5.25)

NOTE: See M.P.E.P. § 140, 6th ed., rev. 3.

1. Petition

It is respectfully requested that this petition for license for foreign filing attached hereto be granted retroactively under the provisions of 37 CFR 5.25.

2. Previous Licenses (☐ applicable ☒ not applicable)

Attached are copies of

- ☐ previous licenses
- ☐ the filing receipt license

issued on this invention before the export.

3. Material filed abroad without a license

Attached is a copy of the material that was filed abroad without a license for foreign filing.

4. Identification of inventor(s), title of invention and, if applicable, details of corresponding U.S. application

Inventor(s) name(s): BECKEN, Donald A.

Title of invention: SNAP-IN ROLLER

(complete the following, if applicable)

In re application of: BECKEN

Group No.: 3676

06/03/2004 DJONES1 000 Application No. 10621105/ 621,865

Examiner's Name:

01 FC:1460

130.04 Filing Date: 07/17/2003

5. Foreign Countries and dates of filing of material for which retroactive license requested (37 CFR 5.25(a)(1))

With respect to the material for which a retroactive license is requested, each foreign countries in which the patent application material was filed and the date it was filed is as follows:

Foreign CountryDate

CANADA (App1. No. 2,435,502)

07/17/2003

6. Verified Statement(s)

Also attached hereto are the verified statement(s) of:

Marc A. Vivenzio

which confirm(s) that, in accordance with 37 CFR 5.25(a)(3)(i)-(iii),

- (a) the subject matter in question was not under a secrecy order at the time it was filed abroad, and that it is not currently under a secrecy order;
- (b) the license is being diligently sought after discovery of the proscribed foreign filing; and
- (c) an explanation of why the material was filed abroad through error and without deceptive intent without the required license under § 5.11 first having been obtained.

NOTE: See 37 CFR 5.25(a)(4).

7. Fee (37 CFR 1.17(h))—\$130.00

The fee for this petition for retroactive license is paid by

- ☐ Attached is a ☐ check ☐ money order in the amount of \$ _____
- ☒ Authorization is hereby made to charge the amount of \$ 130.00
- ☒ to Deposit Account No. 12-2147
- ☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should not be included on this form as it may become public.

- ☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

Reg. No.: 52,326

Tel. No.: (603) 427-0070

Customer No.:


SIGNATURE OF PRACTITIONER

Marc A. Vivenzio
(type or print name of practitioner)

Lorusso Loud & Kelly LLP

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Portsmouth, NH 03801

(Petition For Retroactive License (37 CFR 5.25) [22-6]—page 2 of 2)